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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/176,077	10/20/1998	ROBIN ARTHUR GREEN	CA9-98-038	7754

25259 7590 09/05/2002

IBM CORPORATION  
3039 CORNWALLIS RD.  
DEPT. T81 / B503, PO BOX 12195  
RESEARCH TRIANGLE PARK, NC 27709

EXAMINER

BASHORE, WILLIAM L

ART UNIT PAPER NUMBER

2176

DATE MAILED: 09/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

**Office Action Summary**

Application No.

09/176,077

Applicant(s)

GREEN, ROBIN ARTHUR

Examiner

William L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8, 10, 11 and 13-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 11 and 13-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

1. This action is responsive to communications: RCE filed 6/4/2002 to the original application filed 10/20/1998.
2. The objection to the title of the invention has been withdrawn as necessitated by amendment.
3. The objection to the specification under 35 U.S.C. 132 because it introduces new matter into the disclosure (abstract), has been withdrawn as necessitated by amendment.
4. The rejection of claims 1-8, 10-11, 13-41 under 35 U.S.C. 112 first paragraph as relying upon new matter has been withdrawn as necessitated by amendment.
5. The rejection of claims 1-8, 10-11, 13-41 under 35 U.S.C. 112 second paragraph as lacking antecedent basis has been withdrawn as necessitated by amendment.
6. The rejection of claim 39 under 35 U.S.C. 112 second paragraph has been withdrawn as necessitated by amendment.
7. The rejection of claims 1, 10, 16-20, 33, 40 under 35 U.S.C. 103(a) as being unpatentable over Day and Merritt has been withdrawn as necessitated by amendment.
8. The rejection of claims 2-8, 11, 13-15, 21-32, 34-38, 39, 41 under 35 U.S.C. 103(a) as being unpatentable over Day, Merritt, and Tran has been withdrawn as necessitated by amendment.
9. Claims 1-8, 10-11, 13-41 are pending. Claims 1, 21, 25, 29, 33, and 39 are independent claims.

### ***Continued Examination Under 37 CFR 1.114***

10. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the

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finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/4/2002 has been entered.

***Claim Rejections - 35 USC § 112***

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. **Claims 21-32, 39, 41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

**In regard to independent claims 21, 25, 29, 39,** the phrase “...*being capable of being associated with...*” is vague and indefinite. Said phrase is not forceful enough for the Examiner to interpret with any relative certainty whether (the comment display object) is actually associated with comments. The Examiner’s suggestion of changing said phrase to “...*associated with...*” in each of said claim will overcome this rejection.

**In additional regard to independent claim 39,** Claim 39 recites the limitation “*the common gateway interface*”. There is insufficient antecedent basis for this limitation in the claim. The Examiner’s suggestion of changing said phrase to “*a common gateway interface*” will overcome this rejection.

**In regard to dependent claims 22-24, 26-28, 30-32, 41,** claims 22-24, 26-28, 30-32, 41 are rejected for fully incorporating the deficiencies of their respective base claims (see above).

*Examiner's Note*

13. The following two independent sets of rejections are based upon a possible interpretation of the phrase "...being capable of being associated with..." as "...associated with", and the phrase "*the common gateway interface*", as "*a common gateway interface*".

*Claim Rejections - 35 USC § 103*

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 1, 10, 16-20, 33, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gramlich, U.S. Patent No. 5,826,025 issued October 1998.

In regard to independent claim 1, Gramlich teaches:

- an annotation overlay system of storing and managing a set of "annotation overlays" indicative of commentary associated with a requested source document file (Gramlich Abstract, column 2 lines 65-67 to column 3 lines 1-2, also column 3 lines 9-13; compare with claim 1 preamble "for storing and managing a set of comments associated *with a source file, comprising*").

- the limitation of a "*file review system*" would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Gramlich, because Gramlich teaches that it is important that Web users be able to comment on the content of a Web document, as well as view the commentary of others (Gramlich column 1 lines 60-67; compare with claim 1 preamble "*A file review system...*"),

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suggesting Gramlich's system can be used for document review purposes, providing the benefit of critical review of published documents.

- retrieving source documents in a Web browser (indicative of an HTML file) (Gramlich Abstract, column 3 lines 65-67, column 4 lines 43-50; compare with claim 1 "*means for accepting data from the source file....source file as a markup file,*").

- annotation overlay groups encapsulating annotation overlays associated with a source document file (Gramlich column 3 lines 9-13, column 11 lines 54-61; compare with claim 1 "*means for creating a comment file containing data....comments associated with the source file*").

- input and acceptance of new annotation overlays directly to one or more overlay groups.

Gramlich also teaches a grouped set of overlays associated with a document. The overlay groups are updated with new contributions accordingly (Gramlich column 7 lines 35-45, column 8 lines 40-50; compare with claim 1 "*means for accepting new comments for inclusion....to correspond to the complete set of comments*").

- a source document in a Web browser (indicative of an HTML file) (Gramlich Abstract, column 3 lines 65-67, column 4 lines 43-50), as well as associated annotation overlays, said overlays also written in HTML (Gramlich column 8 lines 35-40). Gramlich also teaches an annotation overly proxy (AOP), which dynamically combines a source document with associated annotation overlays, the resulting merged document can be shown via browser by directly displaying the inserted overlay text at the insertion point within the source document (Gramlich column 11 lines 25-29, column 12 lines 34-36, column 13 lines 8-16, also Figure 5; compare with claim 1 "*means for generating a hypertext document from the markup file....the set of comments associated with the source file*").

- display of a merged hypertext document via a browser (Gramlich Abstract, column 3 lines 17-22 column 4 lines 43-47; compare with claim 1 "*means for communicating the hypertext document to a browser for display.*").

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**In regard to dependent claim 10**, Gramlich teaches addition of an HTML tag indicative of a hypertext link at a defined subsection of the source HTML document, said hyperlink referencing an overlay file from an overlay group (Gramlich column 13 lines 1-10; compare with claim 10).

**In regard to dependent claim 16**, Gramlich teaches a magazine model, whereby authors submit annotations to an editor for incorporation into overlay groups, said groups restricted to subscribed members (Gramlich column 8 lines 46-54; compare with claim 16).

**In regard to dependent claim 17**, the limitation of defined cutoff dates and restricting comments on dates past said cutoff date, would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Gramlich, because Gramlich teaches selling subscriptions to overlay groups (in a magazine model), suggesting the use of cutoff dates and deadlines for article submission and user/author inclusion (Gramlich column 8 lines 40-54; compare with claim 17), providing a user of Gramlich the benefit of providing a periodical magazine structure.

**In regard to dependent claim 18**, Gramlich teaches authors contributing annotation overlays associated with sequenced insertion positions within a source document (Gramlich column 3 lines 9-13, column 8 lines 40-54, column 13 lines 1-9; compare with claim 18).

**In regard to dependent claims 19-20**, Gramlich teaches icons as hypertext links within a merged document (Gramlich column 13 lines 8-13; compare with claim 19).

the limitation of accumulating/displaying statistics, would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Gramlich, because Gramlich teaches selling user subscriptions to overlay groups (in a magazine model), suggesting the use of user/author statistics (i.e.

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subscriber lists) (Gramlich column 8 lines 40-54; compare with claim 20), providing a user of Gramlich the benefit of providing statistics for a periodical magazine structure.

**In regard to independent claim 33**, claim 33 incorporates substantially similar subject matter as claimed in claim 1, and is rejected along the same rationale.

**In regard to dependent claim 40**, claim 40 reflects the computer program product comprising computer executable instructions for performing the methods as claimed in claim 33, and is rejected along the same rationale.

**16. Claims 2-8, 11, 13-15, 34-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gramlich, U.S. Patent No. 5,826,025 issued October 1998, in view of Tran, U.S. Patent No. 6,054,990 issued April 2000.**

**In regard to dependent claim 2**, Gramlich does not specifically teach representation of a source file as a linked list. However, Tran teaches insertion of annotation text into linked list objects (Tran column 15 lines 30-39; compare with claim 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Tran to Gramlich, because of Tran's taught advantage of linked lists, providing a user of Gramlich with a way to dynamically store files.

**In regard to dependent claims 3-6** Gramlich teaches merging of HTML based overlays with HTML source documents (see rejection of claims 1 and 2, above), as well as displaying an icon (symbol) or hyperlink cue at the overlay insertion point within a merged document, reflective of an annotation insertion point. Gramlich also teaches addition of HTML tags within the merged document, and the



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hyperlink cue (tag) at said insertion point causes the overlay to appear subsequent to hyperlink activation (Gramlich column 12 lines 25-35; compare with claims 3-6).

**In regard to dependent claims 7, 8,** Gramlich does not specifically teach representation of a source file as a linked list. However, Tran teaches insertion of annotation text into linked list objects (Tran column 15 lines 30-39). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Tran to Gramlich, because of Tran's taught advantage of linked lists, providing a user of Gramlich with a way to dynamically store and manipulate objects.

In addition, Gramlich teaches insertion of HTML tags at the end of each sentence, and deletion of a pattern or range of words surrounding a pattern (Gramlich column 9 lines 20-25, column 13 lines 1-9). Compare the above with claims 7, 8.

**In regard to dependent claim 11,** Gramlich teaches HTML comprising various definable tags (Gramlich Abstract, column 3 lines 65-67, column 4 lines 43-50). Gramlich also teaches inserting information into a merged document at a location defined in an action field, as well as an icon at the point of insertion (Gramlich column 12 lines 32-42). Compare the above with claim 11.

**In regard to dependent claims 13-15,** Gramlich teaches a subset of annotation overlays associated with a document, said annotations referenced by patterns, said annotations also referenced by authors and content (Gramlich column 7 lines 35-40, column 8 lines 40-51, 54-67; compare with claims 13-15).

**In regard to dependent claims 34, 35, 36, 37, 38,** claims 34, 35, 36, 37, 38 incorporate substantially similar subject matter as claimed in claims 2, 3, 4, 5, 6, respectively, and are rejected along the same rationale.

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17. Claims 21-32, 39, 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gramlich, U.S. Patent No. 5,826,025 issued October 1998, in view of Tran, U.S. Patent No. 6,054,990 issued April 2000, and further in view of Merritt et al. (hereinafter Merritt), U.S. Patent No. 6,041,335 issued March 2000.

In regard to independent claim 21, Gramlich teaches:

- a Web based annotation overlay system of storing and managing a set of "annotation overlays" indicative of commentary associated with a requested source document file (Gramlich Abstract, column 2 lines 65-67 to column 3 lines 1-2, also column 3 lines 9-13 compare with claim 21 preamble "*A web-based....with one or more webs of source file, comprising*").

- the limitation of a "*file review system*" would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Gramlich, because Gramlich teaches that it is important that Web users be able to comment on the content of a Web document, as well as view the commentary of others (Gramlich column 1 lines 60-67; compare with claim 21 preamble "*file review system...*"), suggesting Gramlich's system can be used for document review purposes, providing the benefit of critical review of published documents.

- retrieving source documents in a Web browser (indicative of an HTML file), as well as HTML based annotation overlays associated with said source documents (Gramlich Abstract, column 3 lines 65-67, column 4 lines 43-50, column 8 lines 35-40; compare with claim 21 "*a parser to parse....associated with one or more comments.*").

- Gramlich does not specifically teach representation of a source file as a linked list. However, Tran teaches insertion of annotation text into linked list objects (Tran column 15 lines 30-39; compare with claim 21 "*a linked list of objects*"). It would have been obvious to one of ordinary skill in the art at

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the time of the invention to apply Tran to Day, because of Tran's taught advantage of linked lists, providing a user of Day with the benefit of dynamically storing files.

- annotation overlay groups encapsulating annotation overlays (files) associated with a source document file (Gramlich column 3 lines 9-13, column 11 lines 54-61; compare with claim 21 "*a set of comment files....updating the associated comment file*").

- input and acceptance of new annotation overlays directly to one or more overlay groups.

Gramlich also teaches a grouped set of overlays associated with a document. The overlay groups are updated with new contributions accordingly, the invention utilizing CGI (Gramlich column 5 lines 12-15, column 7 lines 35-45, column 8 lines 40-50; compare with claim 21 "*common gateway interface program....updating the associated comment file*", and "*common gateway interface program code means for generating a hypertext document....the reviewer-selected source files*").

- a source document in a Web browser (indicative of an HTML file) (Gramlich Abstract, column 3 lines 65-67, column 4 lines 43-50), as well as associated annotation overlays, said overlays also written in HTML (Gramlich column 8 lines 35-40). Gramlich also teaches an annotation overlay proxy (AOP), which dynamically combines a source document with associated annotation overlays, the resulting merged document can be shown via browser by directly displaying the inserted overlay text at the insertion point within the source document, as well as marking insertion points with hypertext cues (Gramlich column 11 lines 25-29, column 12 lines 30-36, column 13 lines 8-16, also Figure 5; compare with claim 21 "*the hypertext document including portions....by the associated comment display objects*", and "*the hypertext document selectively including hypertext links...*").

- input and acceptance of new annotation overlays directly to one or more overlay groups.

Gramlich also teaches a grouped set of overlays associated with a document. The overlay groups are updated with new contributions accordingly, the invention utilizing CGI (Gramlich column 5 lines 12-15, column 7 lines 35-45, column 8 lines 40-50).

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- Gramlich does not specifically teach providing reviewers with forms for entry of comments. However, Merritt teaches a hypertext document passed to various users, said document also incorporating comments associated with positional icons, with reviewers commenting in a sequential fashion (Merritt Figure 3, also column 5 lines 1-6, 64-67, column 6 lines 1-17; compare with claim 21 “.... *providing reviewers with forms for accepting new comments*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Merritt to Gramlich, because of Merritt’s taught advantage of including comments within a document, providing users of Gramlich the benefit of inspecting and commenting upon previous comments made to a document.

- display of a merged hypertext document via a browser (Gramlich Abstract, column 3 lines 17-22 column 4 lines 43-47; compare with claim 21 “*means for communicating the hypertext document to a browser for display.*”).

**In regard to dependent claim 22**, Gramlich teaches merging of HTML based overlays with HTML source documents (see rejection of claims 1 and 2, above), as well as displaying an icon (symbol) or hyperlink cue at the overlay insertion point within a merged document, reflective of an annotation insertion point. Gramlich also teaches addition of HTML tags within the merged document, and the hyperlink cue (tag) at said insertion point causes the overlay to appear subsequent to hyperlink activation (Gramlich column 12 lines 25-35; compare with claim 22).

**In regard to dependent claims 23, 24**, Gramlich teaches adding HTML formatted content to a merged file, as well as HTML based source and overlay files, said HTML containing various tags and insertion identifiers (Gramlich column 6 lines 15-23; compare with claims 23, 24). Gramlich teaches HTML comprising various definable tags (Gramlich Abstract, column 3 lines 65-67, column 4 lines 43-50). Gramlich also teaches inserting information into a merged document at a location defined in an

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action field, as well as an icon at the point of insertion (Gramlich column 12 lines 32-42). Compare the above with claims 23, 24. The use of a linked list of objects has been previously discussed.

**In regard to independent claim 25,** claim 25 reflects the article of manufacture comprising computer executable instructions for performing the methods of the system as claimed in claim 21, and is rejected along the same rationale.

**In regard to dependent claims 26, 27, 28,** claims 26, 27, 28 reflect the article of manufacture comprising computer executable instructions for performing the methods of the system as claimed in claims 22, 23, 24, and are rejected along the same rationale.

**In regard to independent claim 29,** claim 29 reflects the computer program product comprising computer executable instructions for performing the methods of the system as claimed in claim 21, and is rejected along the same rationale.

**In regard to dependent claims 30, 31, 32,** claims 30, 31, 32 reflect the computer program product comprising computer executable instructions for performing the methods of the system as claimed in claims 22, 23, 24, and are rejected along the same rationale.

**In regard to independent claim 39,** Gramlich teaches:

- a Web based annotation overlay system of storing and managing a set of "annotation overlays" indicative of commentary associated with a requested source document file (Gramlich Abstract, column 2 lines 65-67 to column 3 lines 1-2, also column 3 lines 9-13 compare with claim 39 preamble "*A method for storing and managing comments on a web-based....with one or more webs of source file, comprising*").

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- the limitation of a "*file review system*" would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Gramlich, because Gramlich teaches that it is important that Web users be able to comment on the content of a Web document, as well as view the commentary of others (Gramlich column 1 lines 60-67; compare with claim 39 preamble "*file review system...*"), suggesting Gramlich's system can be used for document review purposes, providing the benefit of critical review of published documents.

- retrieving source documents in a Web browser (indicative of an HTML file), as well as HTML based annotation overlays associated with said source documents (Gramlich Abstract, column 3 lines 65-67, column 4 lines 43-50, column 8 lines 35-40; compare with claim 39 "*parsing a selected....associated with one or more comments.*").

- Gramlich does not specifically teach representation of a source file as a linked list. However, Tran teaches insertion of annotation text into linked list objects (Tran column 15 lines 30-39; compare with claim 39 "*a linked list of objects*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Tran to Gramlich, because of Tran's taught advantage of linked lists, providing a user of Gramlich with the benefit of dynamically storing files.

- annotation overlay groups encapsulating annotation overlays (files) associated with a source document file (Gramlich column 3 lines 9-13, column 11 lines 54-61; compare with claim 21 "*a set of comment files....updating the associated comment file*").

- input and acceptance of new annotation overlays directly to one or more overlay groups. Gramlich also teaches a grouped set of overlays associated with a document. The overlay groups are updated with new contributions accordingly, the invention utilizing CGI (Gramlich column 5 lines 12-15, column 7 lines 35-45, column 8 lines 40-50; compare with claim 39 "*on review request....with one of the set of source files*", and "*common gateway interface program code means for generating a hypertext document....the reviewer-selected source files*").

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- a source document in a Web browser (indicative of an HTML file) (Gramlich Abstract, column 3 lines 65-67, column 4 lines 43-50), as well as associated annotation overlays, said overlays also written in HTML (Gramlich column 8 lines 35-40). Gramlich also teaches an annotation overly proxy (AOP), which dynamically combines a source document with associated annotation overlays, the resulting merged document can be shown via browser by directly displaying the inserted overlay text at the insertion point within the source document, as well as marking insertion points with hypertext cues (Gramlich column 11 lines 25-29, column 12 lines 30-36, column 13 lines 8-16, also Figure 5; compare with claim 39 "*dynamically generating a hypertext document....reviewer-selected source file*", and "*the hypertext document including portions...the associated comment display object*", and "*the hypertext document selectively including hypertext links...*").

- Gramlich does not specifically teach providing reviewers with forms for entry of comments. However, Merritt teaches a hypertext document passed to various users, said document also incorporating comments associated with positional icons, with reviewers commenting in a sequential fashion (Merritt Figure 3, also column 5 lines 1-6, 64-67, column 6 lines 1-17; compare with claim 39 "*.... providing reviewers with forms for accepting new comments*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Merritt to Gramlich, because of Merritt's taught advantage of including comments within a document, providing users of Gramlich the benefit of inspecting and commenting upon previous comments made to a document.

- input and acceptance of new annotation overlays directly to one or more overlay groups. Gramlich also teaches a grouped set of overlays associated with a document. The overlay groups are updated with new contributions accordingly, the invention utilizing CGI (Gramlich column 5 lines 12-15, column 7 lines 35-45, column 8 lines 40-50; compare with claim 39 "*the hypertext document...for accepting new comments*").

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- display of a merged hypertext document via a browser (Gramlich Abstract, column 3 lines 17-22 column 4 lines 43-47; compare with claim 39 "*communicating the hypertext document to a browser for display.*").

In regard to dependent claim 41, claim 41 reflects the computer program product comprising computer executable instructions for performing the methods as claimed in claim 39, and is rejected along the same rationale.

18. **Prior art made of record and not relied upon is considered pertinent to disclosure.**

Haverstock et al.            U.S. Patent No. 6,401,131            issued            06-2002

Whittaker, Steve, Talking to strangers: an evaluation of the factors affecting electronic collaboration, ACM Conference on Computer Supported Cooperative Work, ACM Press, New York, 1996, pages 409-418.

***Response to Arguments***

19. Applicant's arguments with respect to claims 1-8, 10-11, 13-41 have been carefully considered but are moot in view of the new ground(s) of rejection.

Applicant argues on page 17 of the amendment that Tran fails to disclosed the merging of the comment file and the underlying file into a single hypertext document. The Examiner respectfully notes that Tran is relied upon at the present time for teaching a linked list.



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***Conclusion***

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Bashore whose telephone number is (703) 308-5807. The examiner can normally be reached on Monday through Friday from 11:30 AM to 8:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

21. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to:

(703) 746-7239 (for formal communications intended for entry)

or:

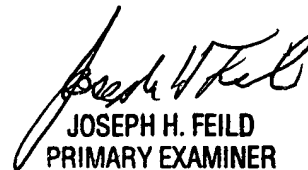
(703) 746-7240 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

or:

(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Fourth Floor (Receptionist).

William L. Bashore  
8/25/2002

  
JOSEPH H. FEILD  
PRIMARY EXAMINER